Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date:	Bureau/Station/Facility:	Admin. Invest.?	Hit?
April 22, 2007	Internal Affairs Bureau	☐	☒

Incident Information

URN: 007-06839-2851-052	Date: April 22, 2007 Time: 1526 hours
City or Station: Compton Station	Nature of Incident: Suspect assaulted two civilian victims. Deputies located suspect at home. Suspect held his [redacted] at knife point. Deputies fired stunbag at suspect. Suspect made motions as if he were stabbing [redacted] Deputies fired at suspect, hitting him one time.
Location: [redacted] East San Carlos Street, East Rancho Dominguez	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, **(Residence)**, Rural, School, **(Street)**, Other: ______

Lighting (*circle only one*): Darkness, **(Daylight)**, Other, Street Lights

Weather (*circle only one*): Clear, **(Cloudy)**, Fog, Rain

Distance:

Incident Type (*circle one or more*): Accidental, **(Armed Person)**, Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

Initiated by (*circle only one*): Arrest Warrant, Call, **(Observation)**, One Person Unit, **(Other)**, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, **(Routine Patrol)**

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
3	0	☒	☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	Vizcarra	Daniel	nmn	EM **(PM)** Day	**(Regular)** Overtime Off Duty
[redacted]	[redacted]	[redacted]	[redacted]	EM **(PM)** Day	**(Regular)** Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]			
[redacted]	[redacted]		[redacted]	[redacted]			
[redacted]	[redacted]		[redacted]	[redacted]			

Supervisors

Employee #	Last Name	First Name	M.I	(*circle one or more*)
[redacted]	Salinas	Alejandro		**(On Duty)**, Present during shooting, Witness to shooting, Involved in shooting
[redacted]	Saunders	Gregory		**(On Duty)**, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Moffett	Mark	G.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Davoren	Patrick	S.

PSTD Use Only
SH # 2193328

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
April 22, 2007	1715 hours	July 18, 2008	

Employee #	Last Name	First Name	M.I
[redacted]	Fredericks	Stefanie	R.
[redacted]	Anderson	Clay	J.
[redacted]	Berg	Michael	R.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	OB					NN	
S1	E2	OB					NN	
S1	E1	OE					NN	
E1	S1	FH	BR	9	Y	Y	GS	SH
E2	S1	FH	BR	9	Y	Y	GS	SH

Officer Involved Shooting
Involved Employee Information

URN: 007-06839-2851-052

Involved Employee

E 1

Employee # [redacted]	Last Name: Magadan		First Name: Raul	M.I.: E.
Sex: M Race: H	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.): 282B	
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☒
Hrs of sleep prior to shooting: 8 Hours	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / (Uniform w/ Vest)	Other Factors:	
Age: [redacted] Height: 5'08"	Weight: 190			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]		Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted]	Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I. [redacted]

E 2

Employee # [redacted]	Last Name: Bolder		First Name: Vergilian	M.I.: J.
Sex: M Race: B	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.): 282D	
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☒
Hrs of sleep prior to shooting: 8-10	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / (Uniform w/ Vest)	Other Factors:	
Age: [redacted] Height: 6'01"	Weight: 195			
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]		Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒	Number of Prior Shootings: 1
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]		First Name [redacted]	M.I. [redacted]

E ___

Employee #	Last Name		First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):	
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:	
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #	Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:	
Age: Height:	Weight:			
Range Qualification Date:	PPC Qualification Date:		Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐	Number of Prior Shootings:
Field Training Officer Emp #	Last Name		First Name	M.I.
Field Training Officer Emp #	Last Name		First Name	M.I.

Officer Involved Shooting Suspect Information

URN: 007-06839-2851-052

Suspect Information

S 1

Last Name: Gomez		First Name: Domingo	M.I.: B
AKA Last Name:		First Name:	M.I.:
Sex: M Race: Hispanic	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone: [redacted]	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 49 D.O.B. 01/18/58	Height: 5'10" Weight: 171	FBI #	CII # [redacted]
Booking # 9767753	Primary Charge: 245(A)(1) P.C.	Secondary Charge: 245(C) P.C.	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☒	Substance Used: Psychotropic medications
Armed? ☒	Apprehended? ☒	Mental Illness? ☒	Criminal History? ☒
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

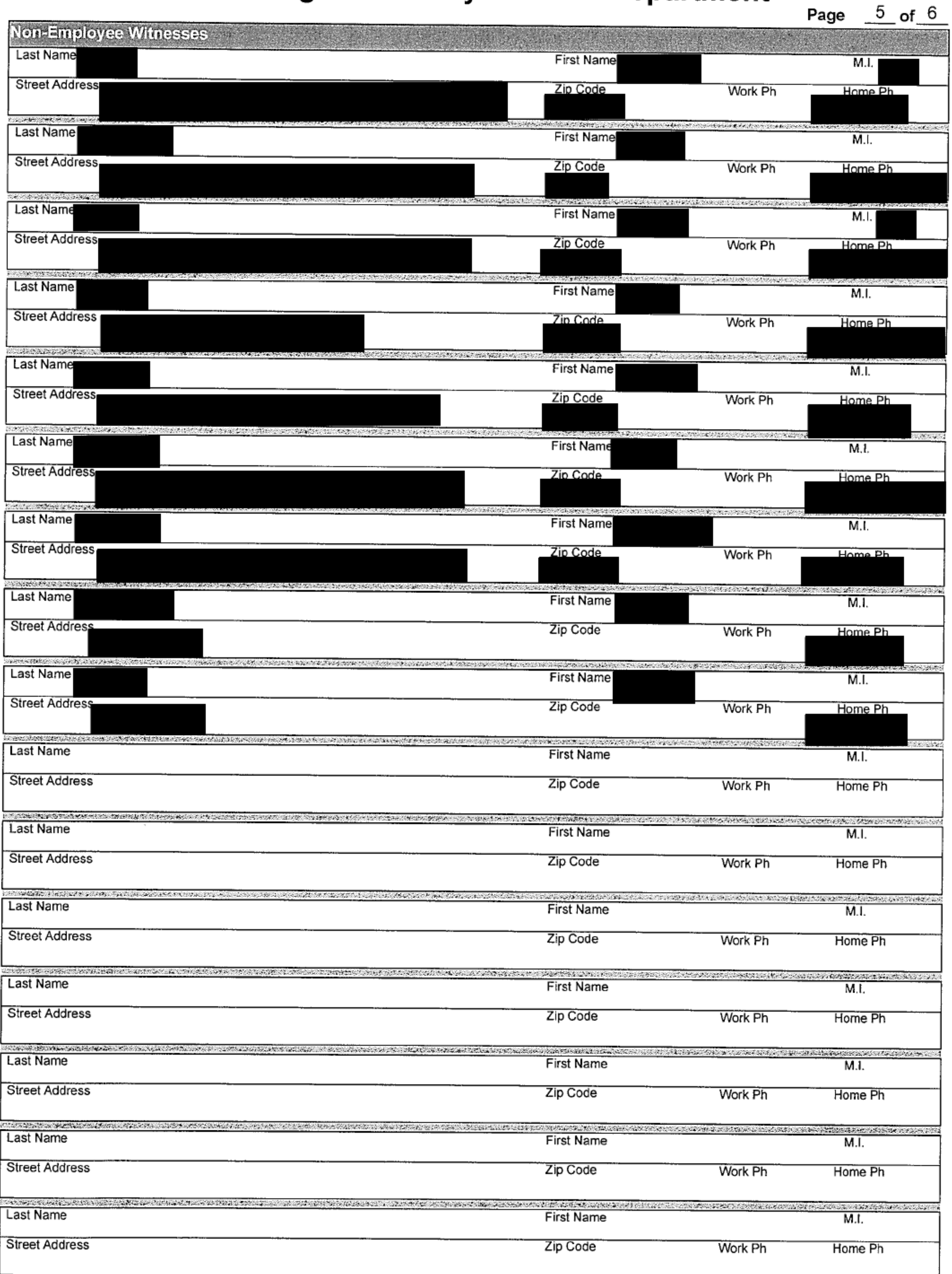
Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department



Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]			[redacted]
[redacted]	[redacted]		[redacted]			[redacted]

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

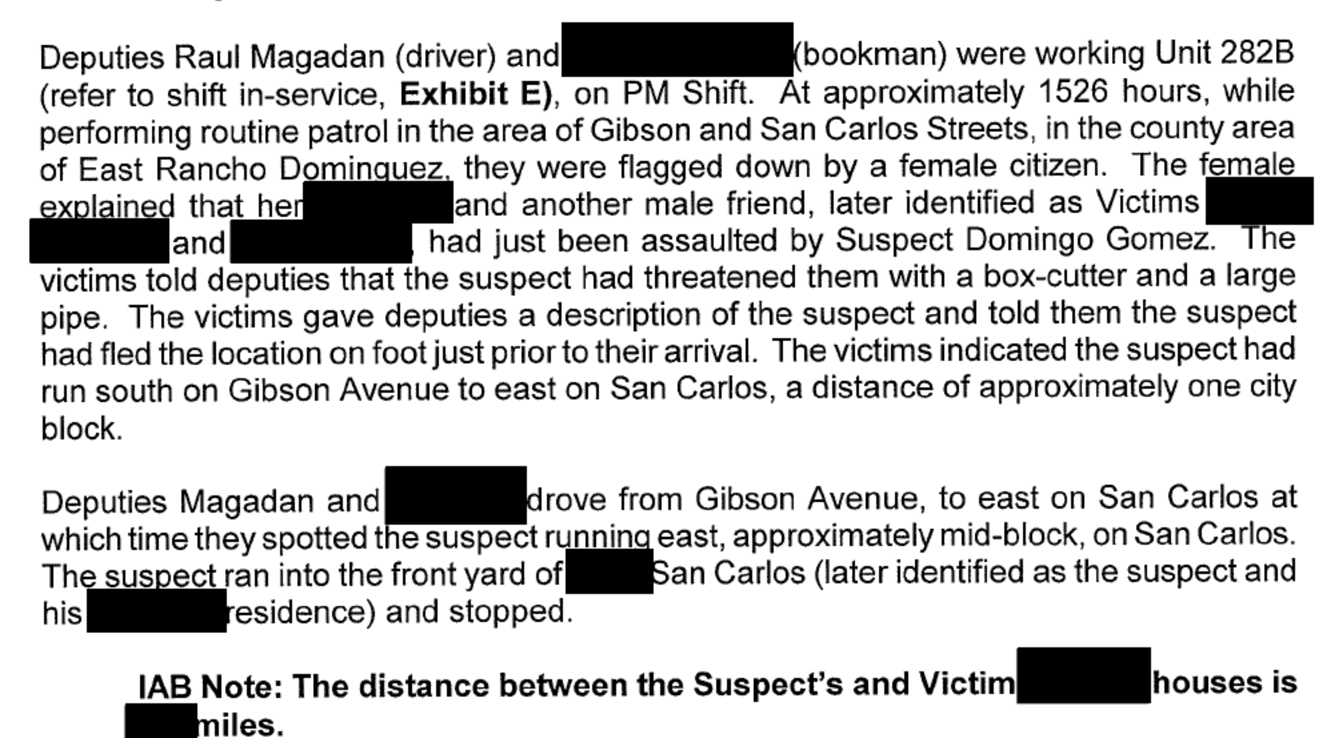
Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	Deputy- Compton Sheriff Station		310-605-6500	
Vizcarra	Daniel		Deputy- Compton Sheriff Station		310-605-6500	

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED SHOOTING - HIT
IAB SH2193328/FO2224315
URN 007-06839-2851-052

OVERVIEW:

On Sunday, April 22, 2007, Sergeants Stefanie Fredericks and Clay Anderson of the Internal Affairs Bureau responded to the Compton Sheriff Station area regarding a deputy-involved hit shooting. Internal Affairs Bureau Acting Lieutenant Michael Berg also responded. Upon the team's arrival, Sergeant Berg confirmed that Compton supervisory personnel had been monitoring the involved deputies. Sergeant Richard Garcia and Detective Mitch Robinson from Homicide Bureau responded to conduct the investigation. The following is an overview of the incident.



Deputies Raul Magadan (driver) and [redacted] (bookman) were working Unit 282B (refer to shift in-service, **Exhibit E)**, on PM Shift. At approximately 1526 hours, while performing routine patrol in the area of Gibson and San Carlos Streets, in the county area of East Rancho Dominguez, they were flagged down by a female citizen. The female explained that her [redacted] and another male friend, later identified as Victims [redacted] and [redacted] had just been assaulted by Suspect Domingo Gomez. The victims told deputies that the suspect had threatened them with a box-cutter and a large pipe. The victims gave deputies a description of the suspect and told them the suspect had fled the location on foot just prior to their arrival. The victims indicated the suspect had run south on Gibson Avenue to east on San Carlos, a distance of approximately one city block.

Deputies Magadan and [redacted] drove from Gibson Avenue, to east on San Carlos at which time they spotted the suspect running east, approximately mid-block, on San Carlos. The suspect ran into the front yard of [redacted] San Carlos (later identified as the suspect and his [redacted] residence) and stopped.

> **IAB Note: The distance between the Suspect's and Victim [redacted] houses is [redacted] miles.**

Magadan and [redacted] stopped their radio car in front of the location and exited their vehicle. Each of the deputies took a position of cover behind individual brick pillars that separated the front yard of the location from the sidewalk. The suspect was holding a large, approximate 3' long, metal pipe and stood near the front porch of the location, approximately ten to fifteen feet away from the deputies. The suspect refused to comply with the deputies repeated commands, both in English and Spanish, to drop the pipe, and he repeatedly challenged the deputies to fight. The deputies remained behind the brick pillars, holding the suspect at gunpoint, while awaiting the arrival of units responding to their assistance request.

After approximately one minute, the suspect suddenly dropped the pipe on the ground and retrieved a gun from his back waistband area. The weapon resembled an Uzi-type gun, black in color, and had an orange tip on the barrel. Both deputies recognized the gun as a toy and did not fire their weapons. During the standoff, the suspect repeatedly ignored the commands of the deputies to drop his weapon. The suspect's [redacted] V[redacted] then opened the front door of the house and began pleading with the suspect to stop what he was doing. The suspect continued to challenge the deputies to fight, then suddenly threw the gun on the ground. He grabbed his [redacted] and they retreated inside the house, closing the front door behind them.

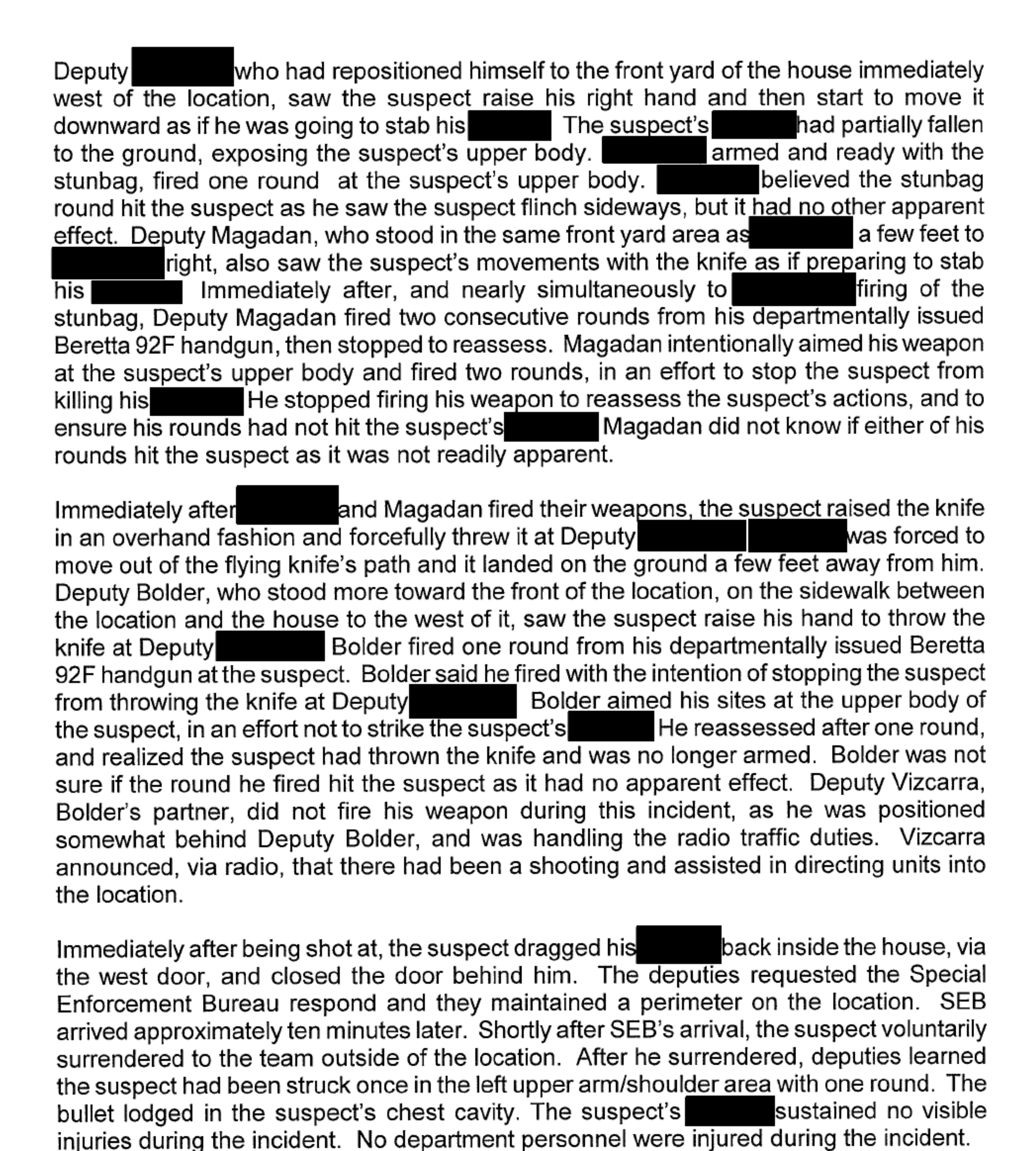
Less than one minute later, the suspect returned to the front door, opened it, and exited the threshold of the door while holding a large wood handled kitchen-type butcher knife in his hand. The suspect continued to ignore deputies' commands to drop the knife, as well as the pleading of his [redacted] who once again stood in the doorway. The suspect then suddenly turned and forcefully shoved his [redacted] back inside the house, entered behind her, and closed/locked the front door behind him.

Unsure if the suspect was about to harm his [redacted] Deputy [redacted] left his position behind the brick pillar and ran up to the door to ascertain if it was locked. [redacted] intent was to open the door, but not to enter, enabling he and his partner to maintain a visual of what was going on inside; however, the door was locked. [redacted] retreated to his radio car and retrieved a stun bag shotgun from the trunk.

Assisting Deputies Vergilian Bolder and Daniel Vizcarra arrived at the location approximately thirty seconds after Magadan and [redacted] radio call for assistance. Bolder and Vizcarra saw the suspect standing near the front door with the butcher knife in his hands when they arrived. They took up positions of cover behind their radio car which was parked in the street behind Magadan and [redacted] car.

After the suspect retreated into the house and locked the door, the deputies could hear a commotion, as if a physical fight was ensuing inside the house, and the noise was moving in a westerly direction. All four deputies began repositioning themselves to the west side of the house, but maintained a visual of both the front and west doors of the house. As they did so, the west door of the house opened and the suspect's [redacted] exited the house screaming for help. The suspect exited directly behind her and grabbed her from behind. The suspect was standing behind his [redacted] as if using her as a shield, while holding on to her and preventing her escape. It appeared to the deputies that the [redacted] was in distress as evidenced by her fighting to get away and her screams for help.

The suspect held the butcher knife in his right hand while holding his [redacted] with his left arm wrapped around her upper body area/neck area.



Deputy [redacted] who had repositioned himself to the front yard of the house immediately west of the location, saw the suspect raise his right hand and then start to move it downward as if he was going to stab his [redacted] The suspect's [redacted] had partially fallen to the ground, exposing the suspect's upper body. [redacted] armed and ready with the stunbag, fired one round at the suspect's upper body. [redacted] believed the stunbag round hit the suspect as he saw the suspect flinch sideways, but it had no other apparent effect. Deputy Magadan, who stood in the same front yard area as [redacted] a few feet to [redacted] right, also saw the suspect's movements with the knife as if preparing to stab his [redacted] Immediately after, and nearly simultaneously to [redacted] firing of the stunbag, Deputy Magadan fired two consecutive rounds from his departmentally issued Beretta 92F handgun, then stopped to reassess. Magadan intentionally aimed his weapon at the suspect's upper body and fired two rounds, in an effort to stop the suspect from killing his [redacted] He stopped firing his weapon to reassess the suspect's actions, and to ensure his rounds had not hit the suspect's [redacted] Magadan did not know if either of his rounds hit the suspect as it was not readily apparent.

Immediately after [redacted] and Magadan fired their weapons, the suspect raised the knife in an overhand fashion and forcefully threw it at Deputy [redacted] [redacted] was forced to move out of the flying knife's path and it landed on the ground a few feet away from him. Deputy Bolder, who stood more toward the front of the location, on the sidewalk between the location and the house to the west of it, saw the suspect raise his hand to throw the knife at Deputy [redacted] Bolder fired one round from his departmentally issued Beretta 92F handgun at the suspect. Bolder said he fired with the intention of stopping the suspect from throwing the knife at Deputy [redacted] Bolder aimed his sites at the upper body of the suspect, in an effort not to strike the suspect's [redacted] He reassessed after one round, and realized the suspect had thrown the knife and was no longer armed. Bolder was not sure if the round he fired hit the suspect as it had no apparent effect. Deputy Vizcarra, Bolder's partner, did not fire his weapon during this incident, as he was positioned somewhat behind Deputy Bolder, and was handling the radio traffic duties. Vizcarra announced, via radio, that there had been a shooting and assisted in directing units into the location.

Immediately after being shot at, the suspect dragged his [redacted] back inside the house, via the west door, and closed the door behind him. The deputies requested the Special Enforcement Bureau respond and they maintained a perimeter on the location. SEB arrived approximately ten minutes later. Shortly after SEB's arrival, the suspect voluntarily surrendered to the team outside of the location. After he surrendered, deputies learned the suspect had been struck once in the left upper arm/shoulder area with one round. The bullet lodged in the suspect's chest cavity. The suspect's [redacted] sustained no visible injuries during the incident. No department personnel were injured during the incident.

A black metal pipe, a toy Uzi-type gun, and a large butcher knife were recovered from the house, as well as a blood-soaked shirt the suspect had been wearing during the shooting

(refer to photographs, **Exhibit C**).

The suspect was transported to Saint Francis Hospital and was treated by Doctor Frederic Stafford for the bullet wound to his shoulder. Medical personnel elected to leave the bullet in the suspect's chest cavity and did not remove it.

> **IAB Note: There were no photos taken of the suspect's injury as the suspect refused to speak with Homicide investigators after this incident. In addition, there were no medical records requested by Homicide at the time of the incident, and thus are not included with this review.**

INVOLVED PERSONNEL:

BOLDER, Vergilian, Deputy #[redacted]
Field Operations, Region II
Compton Sheriff Station

MAGADAN, Raul, Deputy #[redacted]
Field Operations, Region II
Compton Sheriff's Station

[redacted] Deputy #[redacted]
Field Operations Region II
Compton Sheriff's Station

INVOLVED EMPLOYEE WORK HISTORY:

Bolder, Vergilian

Date of Employment	05/06/1999
Date assigned to Compton	04/2004
Completed Patrol Training (LHS)	[redacted]
Prior Shooting Incident(s)	05/08/2005
Prior Founded Force Incidents	[redacted]

Magadan, Raul

Date of Employment	06/26/01
Date assigned to Compton	11/2006
Completed Patrol Training (CPT)	[redacted]
Prior Shooting Incident(s)	[redacted]
Prior Founded Force Incidents	[redacted]

[redacted]

Date of Employment
Date assigned to Compton
Completed Patrol Training (CPT)
Prior Shooting Incident(s)
Prior Founded Force Incidents


[redacted]

SUSPECT:

Gomez, Domingo Bobadilla
MH/49, 5'10", 171lbs
Booking #9767753

Suspect Gomez has an extensive criminal background. A check of the RAPS, (CII #[redacted]) revealed that at the time of his arrest, he had [redacted] for [redacted] (Refer to RAPS printout, **Exhibit B,** for additional information).

Seven counts of Assault With a Deadly Weapon were filed against Gomez regarding this incident. He was convicted in January 2008, and received five years in State Prison, (Refer to **Exhibit B**).

WITNESSES:

Sworn:

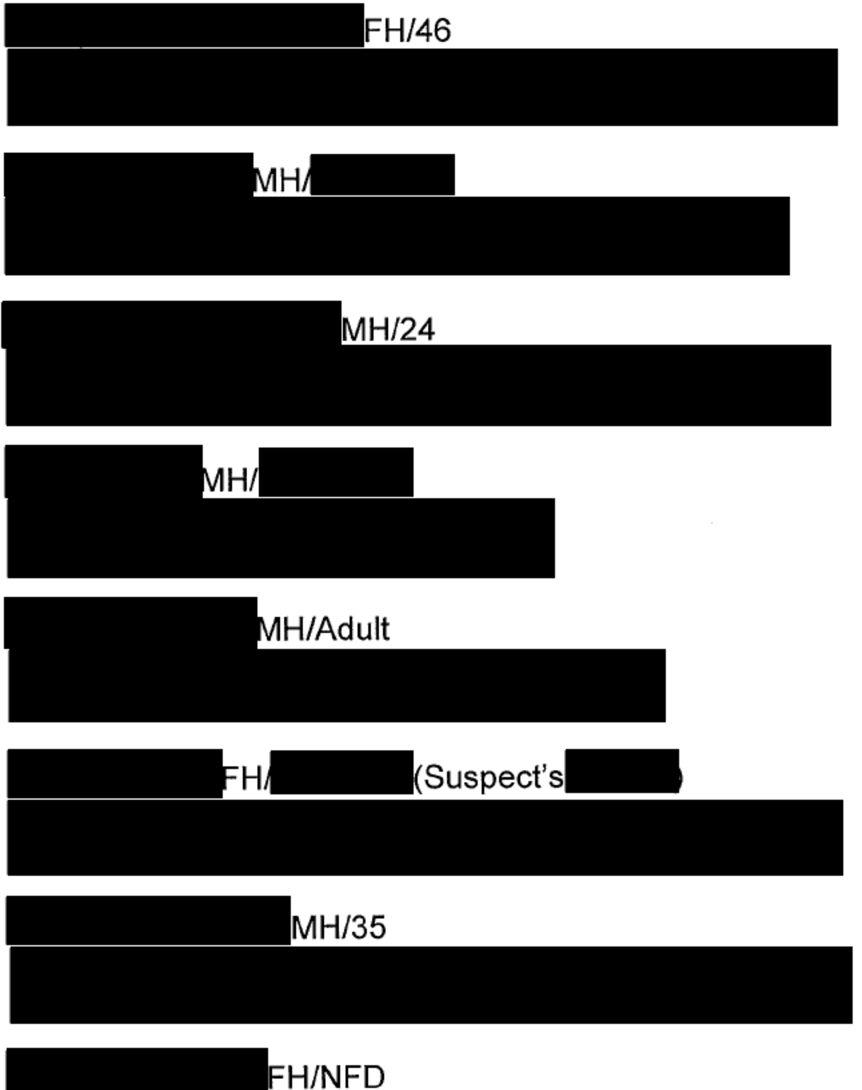
O'Hara, John, Deputy #[redacted]
Office of Homeland Security
Aero Bureau

Sinclair, Sheila, Deputy #[redacted]
Office of Homeland Security
Aero Bureau

Vizcarra, Daniel, Deputy #[redacted]
Field Operations, Region II
Compton Sheriff Station



Civilian:



[redacted] FH/46
[redacted]

[redacted] MH/[redacted]

[redacted] MH/24
[redacted]

[redacted] MH/[redacted]

[redacted] MH/Adult
[redacted]

[redacted] FH/[redacted] (Suspect's [redacted])
[redacted]

[redacted] MH/35
[redacted]

[redacted] FH/NFD
Lives nearby (No further ID info, refer to Homicide interviews, **Exhibit A, page 4**, for further)

[redacted] M/NFD
Lives nearby (No further ID info, refer to Homicide interviews, **Exhibit A**, **page 4**, for further)

IAB Note: A search of the neighborhood for additional witnesses met with negative results (Refer to list of citizens contacted, Exhibit A, pages 46-49).

INJURIES:

SUSPECT

Domingo Gomez received one gunshot wound to his left upper arm/shoulder area and was treated at Saint Francis Hospital immediately after being taken into custody. He was treated by the attending emergency room physician, Dr. Frederic Stafford. Doctor Stafford told Homicide Investigators the suspect sustained one gun shot wound to the left shoulder and the bullet had lodged in the suspect's chest cavity.

The medical staff elected to leave the bullet in the suspect's chest and not to remove it.

There were no photos taken of the suspect's injury at the time of this incident. In addition, there were no medical records requested by Homicide investigators at the time of the incident, and thus they are not included with this review. Further, it is unknown what effect, if any the stun bag had, or where it struck the suspect, if at all.

EMPLOYEES

No departmental personnel were injured during this incident.

PHYSICAL EVIDENCE:

Refer to the Homicide Book, **Exhibit A, pages 13-19, and pages 54-56** for Physical Evidence gathered at the crime scene and processed by the Crime Lab. The Crime Lab report is located in **pages 57-60**. Refer to the Homicide, and Crime Lab reports contained in the Homicide Book, **Exhibit A**. Refer to photographs of the crime scene and evidence, **Exhibit C**, and the crime scene sketch, **Exhibit D**.

Refer to the property damage section for additional comments regarding bullet strikes.

INVESTIGATOR OBSERVATIONS:

The physical evidence at the shooting scene (positions of the deputy's shell casings, stun bag round, the suspect's knife, toy gun, metal pipe, and evidence recovered at the scene) appears to be consistent with the deputies' versions of the events.

Refer to the Homicide Book (**Exhibit A, pages 13-19**) for additional scene observations. Also, refer to **Exhibit C** for photographs of the scene, weapons, and property damage.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Bolder, Vergilian
Departmental-issued service firearm; Beretta 92F, 9mm, serial #BER[redacted] **1 round of duty issue 9mm ammunition fired**. Prior to the shooting, Bolder carried his weapon with 15 rounds in the magazine and one in the chamber. Following the shooting, he had 14 rounds in his magazine, and one in the chamber.

Bolder was approximately 120-30 feet from the suspect's location when he fired. Refer to the Property Damage section for additional information. Also refer to the Crime Lab examination of Bolder's weapon (**Exhibit A, page 58, Lab receipt #J846243**).

Deputy Magadan, Raul
Departmental-issued service firearm; Beretta 92F, 9mm, serial #BER[redacted] **2 rounds of duty issue 9mm ammunition fired**. Prior to the shooting, Magadan carried his weapon with 15 rounds in the magazine and one in the chamber. Following the shooting, he had 13 rounds in his magazine, and one in the chamber.

Magadan was approximately 20-30 feet from the suspect when he fired. Refer to the Property Damage section for additional information. Also refer to the Crime Lab examination of Magadan's weapon (**Exhibit A, page 57, Lab receipt J846243**).

Deputy [redacted]
Deputy [redacted] used a stunbag gun to fire one stunbag round at the suspect. [redacted] was approximately 25 feet (estimated from proximity to Deputy Madagan's position).

WEAPONS USED BY SUSPECT:

Suspect Gomez used a 3' foot long metal pipe, a large chunk of metal, and box cutter to threaten citizens and damage their vehicles. Gomez then confronted deputies by refusing to obey their commands to drop his weapons, and by challenging them to fight. Gomez used the pipe, and a toy gun, to threaten/challenge the deputies prior to the shooting. Gomez then retrieved a large wooden handled kitchen butcher knife to assault his [redacted] and he subsequently threw the knife at Deputy [redacted] Weapons used against the deputies were recovered (**Exhibit A, page 60**).

PROPERTY DAMAGE:

The following private property was damaged:

The Suspect's house at [redacted] E. San Carlos Street

-One bullet hole in the west door, 43" above the ground.

-One bullet impact strike to the exterior west wall, 43" above the ground.

Refer to the photographs in **Exhibit C** for further documentation and detail of the above damage, as well as **Exhibit A, pages 13-19**.

No Department property was damaged.

Deputies Johnson and McDonald responded from Risk Management Bureau's Civil Litigation Unit.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator's Name	Sergeant Richard Garcia (Homicide)
Court	Los Angeles Superior Court
Charges Filed	5 Counts - 245(a)(1) P.C., 2 Counts - 245(c) P.C.
Court Date	January 2008
Case Number	DA 27827111, TA090385

Suspect Gomez was charged with (7) counts of Assault with s Deadly Weapon. In January 2008, Gomez was convicted on two counts of 245(a)(1) P.C., for which he received five years in state prison. He was subsequently released to the California Department of Corrections.

LIGHTING OR WEATHER CONDITIONS:

The streets were fully illuminated by the ambient daylight. The weather on the day of this incident was cloudy, with intermittent rain showers. According to the deputies' statements, it was not raining at the time of this incident.

INVOLVED EMPLOYEES' STATEMENTS:

Deputy [redacted]

Deputy [redacted] worked the PM patrol shift, as Unit 282B, in full Class A uniform and was the passenger of a marked black and white patrol car. The weapons he had on his person during this incident were his departmentally issued Beretta 92F, and a collapsible baton on his gun belt. [redacted] had a partner, Deputy Raul Magadan, and the day of the incident was the first time they had worked in a car together. [redacted] said that at the beginning of the shift he and Magadan briefly discussed who would be in charge of the radio and general radio car basics.

[redacted] said he and Magadan were traveling south on Gibson Street when they were flagged down by a female hispanic in the street. She told them a man had just pulled out a knife on them and had just fled the location on foot. The female directed the deputies to San Carlos Street where the suspect had fled to. She gave a brief description of the suspect.

[redacted] and Magadan turned east on San Carlos street and [redacted] immediately saw a man matching the suspect running eastbound, approximately mid-block, on the north sidewalk of the street. He said the suspect ran into the front yard of [redacted] San Carlos (later identified as the suspect and his [redacted] home) and stopped in the front yard. The suspect stopped next to the pathway that led from the sidewalk to the front door, and was approximately five to ten feet away from the door. As they exited the radio car, [redacted] noticed the suspect had a large metal pipe in one hand.

The suspect faced the deputies, who had both positioned themselves behind brick pillars that divided the front yard from the sidewalk, and he assumed a fighting stance still with the pipe in his hand. [redacted] said he drew his handgun and held the suspect at gunpoint. The suspect began challenging the deputies to fight, and telling them that he would drop his weapon when they dropped theirs.

Deputy [redacted] said that after approximately thirty seconds, and after being given numerous commands to drop the pipe, the suspect then suddenly discarded the pipe on the ground and retrieved a plastic gun from his waistband. He began alternately pointing the toy gun at each of them. [redacted] said he immediately recognized the gun as being a toy as evidenced by the black color and the orange tip on the barrel. Because of that, [redacted] did not fire his handgun at the suspect.

[redacted] said a woman (later identified as the suspect's [redacted] came to the front door and began yelling something from behind the door security screen. She was yelling in Spanish and [redacted] could not understand what she was saying. Despite his inability to understand the woman's words, [redacted] saw what he believed was a look of panic on the woman's face.

> **IAB Note: [redacted] does not speak Spanish.**

[redacted] said both he and his partner yelled out several commands at the suspect to drop his weapon. [redacted] partner, Deputy Magadan, was yelling commands in English and Spanish. The suspect's [redacted] then opened the screen door and began yelling something, but [redacted] could not understand what she was saying. [redacted] said the suspect pointed the gun back and forth between him and his partner for approximately 15-30 seconds, at which point he discarded it on the ground. The suspect then forcefully pushed his [redacted] back into the house. He entered the house behind his [redacted] and closed the door behind him. [redacted] said his partner began putting out radio traffic while he ran to the front door of the house. [redacted] said he wanted to open the front door, not to make entry, but to

allow them to have a visual on what was going on inside the house. [redacted] was not able to open the door because it was locked. [redacted] then retrieved a stunbag from his radio car, which was parked a few feet away.

> **IAB Note: Although other personnel reportedly saw the suspect reappear at the front door with a knife, [redacted] said he never saw that, as he was repositioning himself to the west side of the house.**

[redacted] said he and his partner could hear a commotion coming from inside the house. The noise was traveling in a westerly direction, which prompted him to reposition himself to the front yard of the house directly west of the location, giving him a clear view of the west door. [redacted] chose to reposition himself to the west side to facilitate assisting the suspect's [redacted] if she exited the west door. [redacted] was unclear as to exactly when Deputies Bolder and Vizcarra arrived on scene, but believed they arrived after the suspect retreated from the front door into the house and while he was repositioning himself in the yard west of the location.

[redacted] stood closest to the house west of the location, and his partner, Deputy Magadan, ended up standing a few feet to his right. [redacted] said the west door opened and he saw the suspect's [redacted] laying on her back. He saw the suspect holding a large knife in one hand, over the top of his [redacted] and he was holding her down with the other hand. Fearing the suspect was preparing to stab his [redacted] aimed at the suspect's upper body area where he felt the round would have the most effect, and the danger of it hitting the suspect's [redacted] was minimized. [redacted] fired one round from the stunbag. He did not know if the stunbag round struck the suspect or not. [redacted] added that he thought it was likely the round had hit the suspect because immediately after firing, he saw the suspect move to his right as if reacting to being hit. Despite that, the less-lethal force did not neutralize the threat because the suspect once again held the knife over his [redacted] preparing to stab her.

[redacted] said he immediately heard shots being fired by Deputy Magadan. The suspect reacted by throwing the knife in a forceful overhand fashion, in [redacted] direction. [redacted] felt with certainty that the suspect was throwing the knife at him because the suspect was looking at him when he threw it. He said he had to move to get out of the knife's path of travel and the knife landed in the grass next to him. [redacted] said as the suspect released the knife, he heard Deputy Bolder fire one round. The suspect then pulled his [redacted] back inside the house and closed the door behind them.

[redacted] and his partners repositioned themselves to a position of cover behind their radio cars, holding a containment on the location, and awaiting the arrival of the Special Enforcement Bureau.

[redacted] said he and his partners had not made any sort of tactical plan during this incident as the pace in which it evolved, coupled with the suspect's actions, did not allow them the

time to do so. Despite that, [redacted] felt it was clear to his partners that he would be the designated less lethal deputy because he was the one with the stunbag in his possession. [redacted] added that although he recognized the threat to both himself and the suspect's [redacted] made deadly force justifiable, he utilized the less-lethal stun bag because that is what he had in his hands when this rapidly evolving incident occurred.

[redacted] said he immediately reported the force he used to supervision.

Deputy Raul Magadan
Deputy Magadan worked the PM patrol shift, as Unit 282B, in full Class A uniform, and was the driver of a marked black and white patrol car. The weapons he had on his person during this incident were his departmentally issued Beretta 92F, a back-up .38 caliber Smith and Wesson handgun in his pants pocket, and a collapsible baton on his gun belt. Magadan had a partner, Deputy [redacted] and the day of the incident was the first time they had worked in a car together.

Deputy Magadan said and the beginning of the shift he and [redacted] briefly discussed tactics, such as what they would do if they became involved in a foot/vehicle pursuit, and who would be in charge of the radio.

Magadan and his partner were traveling south on Gibson Avenue when they were flagged down by a female and male hispanic who were standing in the middle of the northbound lane of traffic. The female told the deputies that the suspect had just assaulted her [redacted] with a knife and the suspect had just fled the scene on foot, last seen running east on San Carlos Street. The female gave the deputies the suspect's description as a male Hispanic wearing a black jacket and blue jeans.

Magadan said he drove the radio car from south on Gibson to east on San Carlos where he saw a male, matching the description of the suspect, running in full stride in an easterly direction. When Magadan first saw the suspect, he (the suspect) was approximately mid-block between Gibson Street and the cul-de-sac end of San Carlos Street, running east on the north sidewalk. Magadan and his partner confirmed with each other their belief that was the assault suspect. Magadan added that he and his partner did not have time to formulate a tactical plan as the suspect's actions were dictating an immediate response.

As the deputies approached the suspect in their radio car, the suspect stopped in the front yard of a house at [redacted] San Carlos Street, standing approximately five feet away from the front door of the location, with his back to the door, facing the sidewalk.

Magadan said he did not know whether the suspect lived at the location or not. They immediately exited their vehicle and took up positions of cover behind the brick wall and pillars that separated the front yard from the sidewalk (Refer to photos, **Exhibit C**). After obtaining cover, Magadan then realized the suspect was holding what appeared to be an approximate 3' long metal pipe in his hands (Refer to Photos, **Exhibit C**). Magadan put out

a radio broadcast that he and his partner were detaining a possible "245 suspect" at gunpoint and requested assistance.

Magadan and his partner then began yelling orders at the suspect, in both Spanish and English.

IAB Note: Deputy Magadan is fluent in both languages.

The deputies repeatedly ordered the suspect to drop the pipe. The suspect responded, in Spanish, by challenging both deputies to fight him and telling them that he would drop the pipe when they dropped their guns. Magadan said while he and [redacted] were shouting commands at the suspect, a female Hispanic (later identified as [redacted] the suspect's [redacted] opened the front door of the house behind where the suspect stood.

Magadan told the female, in Spanish, to go back inside the house. She refused, and instead began pleading with the suspect to stop what he was doing and listen to the deputies.

Magadan said the suspect then suddenly dropped the pipe from his hands, reached into his back waistband area and retrieved a black, Uzi-type handgun with an orange tip (Refer to photos, **Exhibit C**). Magadan said from his vantage point, approximately 10-12 feet away from the suspect, he immediately recognized the gun as a replica/toy. With that, he did not fire his handgun at the suspect when the suspect pointed the toy gun in his direction.

Magadan and [redacted] continued to order the suspect to drop his weapon, but the suspect refused; instead, the suspect waved the gun back and forth, alternately pointing the gun at each of the deputies. Magadan said he then began to wonder if the suspect was mentally unstable based on his erratic behavior.

After a short time, the suspect suddenly discarded the toy gun onto the ground, grabbed his [redacted] who was standing just outside the front door of the house, and forced her back inside the house. The suspect entered the house and closed the front door. Magadan said that shortly before the suspect forced his [redacted] inside the house, Deputies Bolder and Vizcarra arrived on-scene and assisted by taking cover and holding the scene. Magadan estimated the time that elapsed between their initial contact with the suspect until he forced his [redacted] inside the house was approximately one minute. While the suspect was inside the house, Magadan's partner Deputy [redacted] retrieved the stun-bag shotgun from the trunk of their radio car. Magadan said after approximately thirty seconds had elapsed, the suspect reappeared at the front door of the house, and this time he possessed a large, wooden-handled, kitchen butcher knife (Refer to Photos, **Exhibit C**).

Magadan said the suspect's [redacted] then reemerged from the house, via at the front door. Magadan and his partners yelled repeated orders at the suspect to drop the knife, which he ignored. The suspect responded by waving the knife at them and telling them he would put

the knife down when they dropped their guns. The suspect then suddenly grabbed his [redacted] and while holding the knife to her throat, he forced her back inside the house. Magadan described that the suspect held his [redacted] from behind, as if she were a hostage and he was using her as a shield. The suspect dragged his [redacted] into the house and closed the front door. Deputy Daniel Vizcarra then began broadcasting radio traffic that they had a barricaded suspect at the location, and directing assisting units to them.

Soon after the suspect forced his [redacted] into the house, Magadan and his partners heard a "commotion" coming from inside the house. He described the noise as voices and a struggle, as if a fight was ensuing. The deputies heard the noise moving in a westerly direction.

Realizing there was a door on the west side of the house, Magadan and [redacted] shifted their location from the front brick wall/pillars to the front yard of the house next door and west of the location (Refer to photos, **Exhibit C**). Magadan explained that although they had not verbalized a plan between them, as this incident was very rapidly evolving, he believed [redacted] was going to be the designated person to utilize less lethal weaponry, and he would be the designated shooter based on the weapons they had at the ready.

Magadan said the west facing door of the house suddenly opened and he saw the suspect holding his [redacted] who was fighting in an apparent attempt to escape the suspect's grasp. The suspect's [redacted] fell to the ground, landing on her buttocks, while the suspect stood over her with the knife in his right hand. Magadan said he was standing in the grass area of the house next door to the location approximately 20-30 feet away from the suspect. Magadan's partner, Deputy [redacted] was standing to his left.

Magadan heard the suspect's [redacted] screaming and pleading for help, and then saw the suspect moving his arm downward toward his [redacted] Deputy [redacted] fired one round from his stunbag at the suspect's upper body.

Magadan said he believed the stunbag round struck the suspect's upper body but he was not sure because it had no obvious effect. Magadan estimated the time that elapsed between the suspect's emergence from the west door and time [redacted] fired the stunbag as thirty seconds.

Within 3-5 seconds after [redacted] fired the stunbag, Magadan realized the suspect's hand was moving downward, still holding the knife with the blade pointing down, in stabbing motion toward his [redacted] Fearing the suspect was about to stab his [redacted] Magadan took aim at the suspect's upper body and fired two consecutive rounds from his Beretta 92F handgun. Magadan said that based on the suspect's position, and that of his [redacted] who was on the ground below him, he had a clear shot of the suspect from the waist up and he intentionally aimed at the suspect's upper body when he fired. Magadan fired two rounds, then stopped and reassessed. His intention was to stop the threat, and do so without harming the suspect's [redacted] Magadan said he stopped firing after two rounds in order

to assess the suspect's actions, and to ensure he had not harmed the female. Magadan believed one of his rounds may have hit the suspect because the suspect reacted by throwing the knife at Deputy [redacted] Magadan said after firing his handgun, he saw the suspect raise the knife over his head and forcefully throw it in the direction of Deputy [redacted] was forced to move out of the path of the flying knife and it landed on the ground nearby [redacted] Magadan said that Deputy Vergilian Bolder, who was standing to his right near the sidewalk area of the location, recognized that the suspect was going to throw the knife at Deputy [redacted] and he, Bolder, fired one round from his handgun at the suspect. The only reaction from the suspect was that he once again grabbed his [redacted] and dragged her back into the house, via the west door. The door closed behind them.

Magadan said they broadcasted via radio that they had been involved in a shooting, and continued to contain the location. Several assisting units arrived, as well as Aero Bureau and deputies from the Special Enforcement Bureau arrived. Magadan said he was removed from the scene prior to the arrest of the suspect.

Magadan said during the incident, and at the time he fired his weapon, he knew the backdrop consisted of the house, and there were no other persons in sight, with the exception of the suspect and his [redacted] Magadan was unaware of there being any other persons inside the home.

> **IAB Note: It was later learned there was nobody else inside the house when the incident occurred.**

Magadan said he chose to use lethal force, rather than any other weapons he had available to him, based on the nature of the threat, coupled with the fact a human's safety was in immediate jeopardy, and the fact that less lethal force had been utilized and had not been effective.

Magadan reported the use of force to supervision immediately.

Deputy Vergilian Bolder

Deputy Bolder worked the PM patrol shift, as Unit 287D, in full Class A uniform and was the passenger in a marked black and white patrol car. The weapons he had on his person during this incident were his departmentally issued Beretta 92F, a back-up Smith and Wesson handgun in his pant's pocket, a taser in a holster, and a collapsible baton on his gun belt. Bolder had a partner, Deputy Daniel Vizcarra, and they had worked together as radio car partners off and on over the past four years. Bolder said he and Vizcarra had discussed tactics on numerous occasions during their radio car partnerships.

Bolder said he and his partner were approximately one-half mile away from the location when they heard an assistance request via radio that Deputies Magadan and [redacted] were

detaining a "245 suspect" at gunpoint. Bolder and Vizcarra responded Code-3 to the location, arriving approximately thirty seconds after the radio broadcast. They positioned their radio car in the street behind Magadan and [redacted] radio car. The first thing Bolder saw was Deputy Magadan taking cover behind a brick pillar on the sidewalk in front of the location, and he was detaining the suspect at gun point. Bolder saw the suspect standing approximately 20 or 25 feet away from and in front of Magadan in the threshold of the front doorway of the house. The suspect was holding a large kitchen knife by the handle and was waving it at Magadan and [redacted] Bolder heard Deputy Magadan giving the suspect repeated commands to drop the knife, put the knife down, and to put his hands up. The suspect responded by ignoring Magadan's commands and yelling something back at Magadan. Bolder could not hear what exactly the suspect was yelling.

Bolder exited the passenger side of the radio car and was greeted by Deputy [redacted] who asked him if he had a stunbag in his car. Bolder told [redacted] he did not. He added that he believed [redacted] ultimately retrieved a stunbag from the back of his own radio car.

Bolder said he drew his taser from its holster, as well as his handgun, holding one in each hand and took cover behind the engine block of his radio car. He said he saw a female, later identified as the suspect's [redacted] briefly appear in the front doorway behind the suspect. After a few more verbal exchanges between Magadan and the suspect, the suspect retreated into the house. Bolder could not recall how many times the suspect entered and exited the front door of the house but thought it could have been more than once during the initial scene he witnessed between Magadan and the suspect. Bolder said after watching the suspect's behavior (irate, ignoring deputies' commands), he believed the suspect was possibly under the influence of drugs, alcohol, or just in some sort of altered state.

Bolder said shortly after the suspect enter the front door of the house, his (Bolder's) attention was drawn to the west door of the house. He saw the suspect's [redacted] come running out the door.

Bolder repositioned himself to the southwest side of the house and stood approximately ten to twenty feet from the west door. He elected to leave his position of cover behind the radio car because he felt he could better assist the suspect's [redacted] if needed. Bolder saw the suspect grab his [redacted] and a struggle ensued between them. Bolder said Deputies Magadan and [redacted] had also positioned themselves on the west side of the location; however, they stood in the front grass area of the house directly west of the location, and Bolder took a position more toward the front sidewalk area. Bolder said from his position the west door of the location was directly north of him. Bolder described his position, as well as Madagan's and [redacted] as being an L-shape (refer to sketch, **Exhibit D)**. Vizcarra was positioned somewhat behind Deputy Bolder and had assumed radio responsibility.

Bolder said the suspect and his [redacted] struggled in the doorway, and he could hear the suspect's [redacted] screaming for help while trying to get away from the suspect. He said the

suspect was yelling something as well but he could not hear what was being said because of the noise from the circling Aero Bureau helicopter. He saw the suspect had the large kitchen knife in his hand and he began to move it in an overhand and downward stabbing motion as if he was going to stab his [redacted] He saw Deputy [redacted] fire one round from the stunbag at the suspect. He was not sure whether or not the stunbag round actually hit the suspect because there was no obvious reaction by the suspect. Bolder estimated the time that elapsed between the suspect's [redacted] coming out the west door and the time [redacted] fired the stunbag as five to ten seconds.

Bolder said that approximately one second after [redacted] fired the stunbag, Deputy Magadan (who was positioned to Deputy [redacted] right) fired two rounds from his handgun at the suspect. He was not sure if the rounds struck the suspect or not.

Bolder added that despite his recognition of the immediate threat to the female's life, he chose not to fire his handgun at that point because his positioning limited his line of sight of the suspect, and the [redacted] positioning in front of the suspect prevented him from taking a clear shot of the suspect at that moment. Bolder explained that the suspect and his [redacted] were standing up in the doorway of the location, the [redacted] standing in front of the suspect and the suspect standing behind her with his arm around her neck. He said that he could still see the suspect's shoulders and head area despite the fact the suspect's [redacted] was standing in front of him.

Bolder said somehow during the struggle between the suspect and his [redacted] she fell to the ground in front of the suspect. The suspect then raised his arm, in an overhand fashion, preparing to throw the large kitchen knife at Deputy [redacted] Recognizing the threat to [redacted] safety, coupled with the fact he now had a clear line of sight of the suspect, Bolder fired one round at the suspect from a distance of approximately 20-30 feet in an attempt to prevent the suspect from harming Deputy [redacted] He said he intentionally aimed his handgun's sights at the upper torso area of the suspect to prevent accidental harm to the suspect's [redacted] who was on the ground in front of him. Bolder said he did not know if the round he fired hit the suspect or not as the only response he got from the suspect was his retreat into the house.

The suspect grabbed his [redacted] and dragged her back inside the west door of the house, closing the door behind them.

Bolder said he retreated back behind his radio car in order to contain the location from a position of safety. The shooting was then broadcast via radio, and he and his partners remained in containment positions until the Special Enforcement Bureau arrived. Shortly after, Bolder was removed from the scene, and because of that he was not on scene when the suspect was arrested.

Bolder said that during this incident he did not feel he had any other viable option available other than the use of deadly force. He based that on the fact that less-lethal force had

already been utilized and had not been effective, and he was not close enough to the suspect to use his taser, coupled with the fact the suspect was preparing to throw the knife at a deputy. He added that he did make the choice to fire his handgun because another deputy had done so before him; instead, he based his decision on his own recognition of a threat to his partner's safety.

Bolder said there had been no tactical plan discussed between him and his partners prior to the shooting because the rapid pace and changing events prevented them from doing so. He added that because Deputy [redacted] had armed himself with the stunbag, he had the implied belief that [redacted] would be the designated less lethal person. Bolder said when he fired his handgun, he was aware that the backdrop was the driveway area of the location and there were no other persons present in that area besides the suspect and his [redacted]

Deputy Bolder immediately reported his use of force to supervision.

SWORN WITNESS STATEMENTS:

Witness Deputy Daniel Vizcarra was Deputy Vergilian Bolder's partner the day of this incident, working PM Unit 287D. Vizcarra was wearing his full Class A uniform, and was the driver of a black and white radio car.

Vizcarra said he and his partner responded to an assistance request regarding a "245 suspect" being detained. They arrived approximately 30 seconds after the request for assistance was put out. Vizcarra stopped the car and parked it in the street behind Magadan and [redacted] radio car.

Upon their arrival at the location, Vizcarra saw Deputies Magadan and [redacted] behind cover and the suspect standing near the front door of the residence waving a knife. He could not understand what the suspect was saying, but the suspect was yelling and screaming in what sounded like Spanish.

IAB Note: Deputy Vizcarra speaks both English and Spanish.

Vizcarra and Bolder took cover behind their radio car. Vizcarra could hear both Deputies Magadan and [redacted] telling the suspect, "Drop the weapon. Drop the knife. Step out. Step away from the door," repeatedly, "Drop the weapon. Drop the knife, " in both English and Spanish, but the suspect would not comply. The suspect went in and out of the threshold of the door before finally retreating inside and closing the front door.

Less than ten seconds after the front door closed, Vizcarra's attention was drawn to the west door of the house being flung open and an unknown female, later identified as the suspect's [redacted] exiting the door. The suspect violently exited the west door behind his

[redacted] banging the door against the wall as he exited. The suspect was yelling incoherently and still had the knife in his hand. It appeared the suspect was going to assault or kill his [redacted] because he grabbed her, in a headlock fashion, and began dragging her backwards into the house, while continuing to wave the knife around. He added that although the suspect's [redacted] was still on her feet, she was not standing fully erect because she was bent over from being dragged backwards. She struggled to get away but was unsuccessful. Vizcarra and Bolder left their positions behind the radio car and moved to get a better visual of the altercation. Vizcarra took up a position on the sidewalk directly south of the west door, and Bolder stood in front of and just to the right of Vizcarra. Vizcarra then assumed radio traffic duties and was putting out information over the radio as the incident unfolded.

Vizcarra saw Deputies [redacted] and Magadan had repositioned themselves onto the front lawn of the house immediately west of the location. Both deputies again shouted orders at the suspect to drop the knife, but the suspect refused. He maintained his grip on his [redacted] and continued to wave the knife around. Vizcarra saw Deputy [redacted] fire one round at the suspect from the stunbag. He did not know if the stunbag round hit the suspect or not, but it did not seem to have any effect on the suspect. Immediately after [redacted] fired the stunbag, Vizcarra heard Deputy Magadan fire two rounds from his Beretta. The suspect continued his assault, apparently unfazed, and raised the knife over his shoulder. The suspect threw the knife at Deputies [redacted] and Magadan, who stood next to each other in the grass west of the suspect. He threw the knife in an overhand and forceful manner. The knife landed in the grass next to Deputy [redacted] Vizcarra then heard Deputy Bolder fire one round from his Beretta. Vizcarra said that when [redacted] Magadan, and Bolder fired their weapons, he had a visual of the suspect's upper body and the suspect's [redacted] was located in front of the suspect's lower body area. After Bolder fired at the suspect, the suspect's only reaction was to drag his [redacted] back inside the house and close the door behind them. Vizcarra estimated that the elapsed time between the stunbag round being fired, and the final round being fired by Deputy Bolder as less than one minute.

The deputies took cover behind their radio cars and contained the location until the Special Enforcement Bureau arrived.

Vizcarra said that although the situation was too fluid and rapidly evolving for them to join up and form a plan, he took it upon himself to assume the radio traffic duties.

Although he had his gun drawn, the fact he was talking on the radio coupled with the fact that Deputy Bolder was in his line of fire dictated the necessity for him to remain disciplined and not use force himself. He added that had he been put in the position that Bolder, Magadan, and [redacted] were in, he too would have felt the need to use deadly force.

Vizcarra said he did not see any other persons besides the suspect and his [redacted] in the area that his partners fired their weapons. He was not aware of there being anyone else inside the location during this incident.

Witness Deputy John O'Hara is the Aero Bureau observer and responded to the scene via helicopter after hearing radio traffic regarding a deputy detaining a suspect at gunpoint. O'Hara and his partner, Pilot Deputy Sheila Sinclair, arrived on scene approximately thirty seconds after the radio broadcast. O'Hara and his partner established an orbit over the scene at approximately 400 feet above ground and 50 M.P.H.

As the helicopter orbited the scene, O'Hara saw deputies posted at the front of the location. O'Hara saw the suspect standing next in the doorway of the partially opened security door. O'Hara lost sight of the suspect momentarily, due to the helicopter orbit.

When O'Hara regained sight of the front door, the suspect had apparently retreated back inside the house as he was no longer in sight.

While assisting Compton units with establishing a containment of the location, O'Hara noticed some civilians walking in a back yard nearby the location. O'Hara broadcast his observations via radio. As soon as he released the microphone, deputies broadcast they had been involved in a shooting. The orbit of the helicopter brought into view that deputies had repositioned themselves to the west side of the location and appeared to be looking in the direction of a door on the west side of the house. As the door came into view, O'Hara saw what appeared to be a pair of legs clad in dark colored pants in the west doorway. O'Hara was unable to see anything else, such as whom the legs belonged to. O'Hara's partner then told him she had seen something fly through the air in the direction of the deputies. O'Hara, utilizing his binoculars, and saw a large kitchen knife laying in the grass west of the location.

> **IAB Note: Refer to supplemental report authored by Deputy O'Hara, (Homicide book, Exhibit A, pages 44-45) for further.**

Witness Deputy Sheila Sinclair is the pilot of the Aero Bureau helicopter that responded to the scene. Sinclair said while her partner, Deputy O'Hara was broadcasting to the deputies that there were civilians headed in the deputies direction, she saw something fly from the west door of the location and in the direction of the deputies who had positioned themselves in the yard west of the door.

> **IAB Note: Refer to supplemental report authored by Deputy O'Hara, (Homicide book, Exhibit A, pages 44-45) for further.**

<u>CIVILIAN WITNESS STATEMENTS:</u>

> **IAB Note: The majority of the following witnesses are residents that live on either [redacted] or [redacted]. A portion of them were witnesses to the**

shooting incident, and some only to the events that occurred just prior to the shooting. There were some residents interviewed that either saw nothing or there was nobody home. Those persons and addresses are not listed below. Refer to the supplementary crime reports for their names and information, included in Exhibit A, pages 46-49.

WITNESSES TO THE EVENTS THAT LED UP TO THE SHOOTING:

Witness/Victim [redacted] lives on [redacted] from the suspect. [redacted] knows the suspect is his neighbor, but they have never spoken prior to this incident.

[redacted] said he and Witness [redacted] were standing on the sidewalk in front of his [redacted] house. The suspect began talking to [redacted] about how somebody had stolen his car. [redacted] said the initial conversation between [redacted] and the suspect was friendly and there was no reason for the suspect to be angry or turn crazy like he did. The suspect left and about five minutes later he returned.

The suspect approached Witness [redacted] and asked him if he wanted to die by being cut with a box cutter, or by being shot. [redacted] said the suspect motioned to his pants simulating he had a gun in his waistband. [redacted] ran toward the front of the house to get away from the suspect. The suspect then grabbed some sort of metal object and threw it at [redacted] car that was parked in the street. [redacted] told the suspect he was going to call the police and the suspect said that he didn't care.

The suspect then fled the location on foot, and a short time later he returned to the front sidewalk of [redacted] house. This time the suspect had a large metal pipe in his hands. The suspect began hitting the fence along the sidewalk, apparently trying to scare them. The suspect was yelling at him and [redacted] to come over to them so he could rip their heads off. Coincidentally, a radio car with two deputies inside drove up as this incident was in progress. They flagged the deputies down and told them what had happened. While they spoke with the deputies, the suspect fled the scene on foot.

The deputies drove in the direction the suspect fled, and that is the last [redacted] saw. He said he did not witness any portion of the shooting.

Witness/Victim [redacted] was visiting with a friend, [redacted] who lives [redacted] from the suspect on [redacted] knows the suspect from a few previous contacts. He knows the suspect is "not right" mentally and talks crazily a lot.

[redacted] was on Gibson Street, between San Carlos and Rosecrans streets, when the suspect approached him. [redacted] believed the suspect had just come from his home. [redacted] was talking to his neighbor, [redacted] and they were standing in front of [redacted] house on

the sidewalk when the suspect approached them. The suspect started talking about how somebody had stolen his car. [redacted] added that the suspect was talking about more than one topic at the same time and he was not making sense. [redacted] said he told the suspect, "Okay," and then somewhat dismissed the suspect. The suspect went home and returned about ten or fifteen minutes later. The suspect then told [redacted] he was going to kill him with the box cutter type knife he held in his hand. [redacted] jumped the fence into [redacted] front yard to get away from the suspect. [redacted] said the suspect then left, but as he did he threw some sort of metal object at [redacted] car, which upset [redacted] [redacted] walked behind the suspect and was trying to ascertain why the suspect had just damaged his car but the suspect continued walking, apparently back to his home.

Approximately ten minutes or less elapsed when the suspect returned to the sidewalk in front of [redacted] house. This time the suspect had a large metal pipe, approximately 2 or 3 feet long, in his possession. The suspect began hitting the fence with the pipe and he told [redacted] who was standing on the sidewalk in front of his house, that he was going to kill him with the pipe. [redacted] then told the suspect that he needed to leave because she was going to call the police.

[redacted] said coincidentally, before anybody called the police, a radio car appeared on the street. [redacted] flagged down the deputies and told them the suspect just fled on foot after he assaulted them. [redacted] remained at the corner and did not go anywhere near the suspect's house. He saw numerous radio cars responding to the location but he did not see or hear anything that happened at the suspect's house.

Witness [redacted] lives at [redacted] He did not witness any of the incident between the suspect and deputies; however, he knows who the suspect is. He said the suspect is always walking up and down the street talking to himself. He added that he chooses not to have any interaction with the suspect because the suspect is "strange," and he is afraid of the suspect.

> **IAB Note: Refer to supplemental report authored by Compton Deputy [redacted] (Homicide book, Exhibit A, page 46) for further.**

WITNESSES TO THE SHOOTING INCIDENT:

Witness [redacted] lives at [redacted] and she is the suspect's [redacted]

> **IAB Note: [redacted] was interviewed in Spanish and spoke via an interpreter. During her interview, she told the investigators that she did not know what they wanted her to say and inquired about the reasons they wanted to interview her.**

Witness [redacted] said her [redacted] the suspect, lives with her. He entered the house and when he did she saw the police outside. She added that her [redacted] is not "all there in the head" and many time he does not know what he is doing. She explained that at the age of 18 years old, [redacted] was given drugs by his friends and since then he has had mental problems. She added that sometimes he is fine, and other times he acts as if he is not "all there." She said her [redacted] has been prescribed medication and when he takes it as prescribed, he acts fine. She did not know if the suspect had taken his medication on the day of the incident.

IAB Note: Homicide investigator Sergeant Richard Garcia contacted Compton mental health who identified the medications the suspect was taking as psychotropic medications used to treat depression and bipolar disorders.

[redacted] said she is unsure what happened to precipitate the beginning of the event. She saw that her [redacted] was swinging a pipe at deputies and heard the deputies ordering him to drop it. [redacted] told her [redacted] to stop swinging the pipe at the deputies. The suspect refused to listen to her or the deputies. The suspect told her, "They started it, they started it." [redacted] added that her [redacted] then grabbed some other "dark" item and was waving it at the deputies, but she was not able to identify what the item was. [redacted] said she repeatedly insisted that her [redacted] throw down what he had in his hands and give up to the police. Her [redacted] would not listen. [redacted] said she wanted to go and talk with deputies herself but she was afraid because they all had their guns pointed at the house.

[redacted] said she asked the deputies not to point their guns at her [redacted] who was now verbally engaged with the deputies, and she told her [redacted] to get back inside the house because the deputies were going to kill him. She said her [redacted] pulled her back inside the house and threw her to the floor because he thought the deputies were going to shoot her. [redacted] said her [redacted] went to the kitchen (west) door and she heard gun shots. She said she was still lying on the floor inside the house when she heard the shots. [redacted] said she did not know if her [redacted] had a knife in his hand at any point during this incident because he repeatedly entered and exited the house and she could not tell what he had in his hands. She added that there had been a knife left on the kitchen counter from breakfast, and that could have been the object her [redacted] had in his hands.

After hearing the gunshots, [redacted] retreated to her bedroom. Her [redacted] then entered the house and told her that the deputies had shot him. [redacted] told her [redacted] to "give up" to the deputies, which he did.

[redacted] said she was unharmed during this incident. [redacted] denied that her [redacted] ever grabbed her around the neck, and explained that the reason she fell to the ground when her [redacted] brought her inside the house was because her [redacted] had a grip on her upper arm and she was wearing high heels, which caused her to trip.

Witness [redacted] lives at [redacted] and is the suspect's neighbor. She lives [redacted] of the suspect and his [redacted] knows that the suspect has

mental issues, and she has seen him walking up and down the street talking to himself in the past.

[redacted] said she was watching television when her dog drew her attention to something going on outside. [redacted] opened her front door and saw three uniformed deputies taking up what she described as a defensive stance in her front yard. She heard one of the deputies give some sort of command to the suspect as they were positioning themselves in her yard but she couldn't hear what the deputy said.

The suspect's [redacted] came out the side door of the house, and was yelling something in Spanish at the deputies. [redacted] said she could not understand what the suspect's [redacted] was saying, but saw the suspect's [redacted] bending down as if she were asking the deputies to have mercy on her [redacted] [redacted] then saw the suspect come out the side door and "toss" a knife, in an underhand fashion, in her yard where the deputies were standing. The suspect then grabbed his [redacted] and pulled her back inside the house. [redacted] heard the deputies start shooting and she thought she heard about five shots. [redacted] added that she didn't really see how the shooting occurred because she ran back inside her house and got down on the ground when the incident escalated.

[redacted] added that it was very "dumb" of the suspect to toss the knife in the deputies' direction during this incident, and the suspect was "lucky as hell" the three deputies didn't harm him more.

Witness [redacted] was visiting relatives at [redacted] at the time of this incident. He was about to enter the front yard of his relatives' house when he saw the suspect walking west on the north sidewalk of the street holding a metal object in his hands. The suspect walked to the corner of San Carlos and Gibson streets and he began hitting the street sign pole on the corner with the metal object while yelling incoherently.

[redacted] then saw the suspect suddenly turn and run east on San Carlos street, toward his (the suspect's) house, still holding the metal object in his hands. [redacted] then saw a radio car turn east onto San Carlos street. The suspect turned and saw the radio car behind him, which prompted him to run faster. The suspect ran home and stopped in the front yard. The deputies exited their car and pointed their guns at the suspect. [redacted] saw the suspect raise his right hand and point what appeared to be a gun at the deputies. [redacted] heard the deputies yelling orders at the suspect. The suspect then ran inside his house.

A short time later, the suspect exited the house while holding a large knife to the neck of an older woman. [redacted] could hear deputy personnel yelling orders at the suspect to drop the knife and release the female. [redacted] said the suspect appeared to be using the older woman as a shield. The suspect then ran back inside the house with the female.

[redacted] attention was then drawn to the door on what he believed to the east side of the house.

IAB Note: There is no door on the east side of the house. There is a door on the west side, which is the area in which the shooting incident occurred.

[redacted] could see someone attempting to exit the door. He then saw the suspect come out of the door, and he was still holding the knife to the female's neck and using her as a shield. [redacted] then heard approximately three gunshots. The suspect went back inside the house along with the apparent female hostage.

[redacted] said he did not actually see the deputies shoot their weapons but heard the shots.

IAB Note: Refer to supplemental report authored by Deputy [redacted] Homicide book, Exhibit A, page 48, for further.

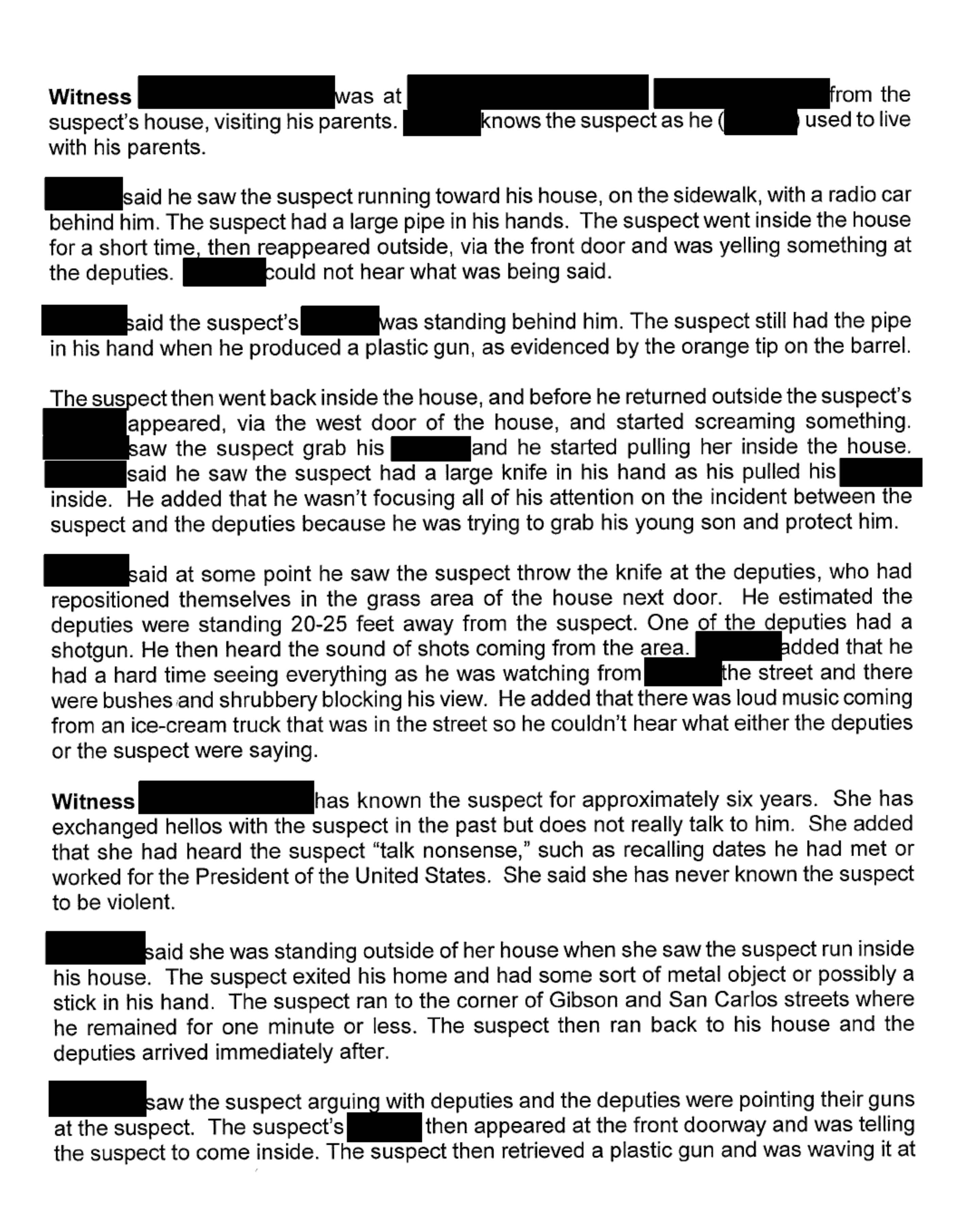
Witness [redacted] has known the suspect for eight or nine years, and said the suspect has done odd jobs for him on occasion. He said the suspect acts "crazy" sometimes. He added that he has seen the suspect act abnormally in the past, but not as aggressively as he acted during the incident with the deputies.

[redacted] was inside his house watching television when he saw the suspect running toward his house. [redacted] went outside and saw the suspect enter his home, then exit again after apparently retrieving a metal pipe. The suspect ran toward the corner of Gibson and San Carlos Street, on the north side of the sidewalk, and was hitting the sidewalk with the pipe as if he had a problem with somebody. [redacted] was standing on the sidewalk and had to back up out of the way as the suspect ran past him. After a short time, the suspect ran back in his direction, and toward his (the suspect's) house, apparently fleeing from the deputies.

[redacted] saw the suspect stop in front of his (the suspect's) house and enter the front yard. The suspect's [redacted] then came out of the house. The suspect had the pipe in his hands, and at some point also had a black plastic gun in his left hand. [redacted] knew the gun was plastic because he knows the suspect is not "all there" in the head and the suspect would not be allowed to have a real gun. In addition, when the suspect pointed the gun at the deputies, [redacted] could see a red tip on the end of the barrel.

[redacted] said the suspect grabbed his [redacted] and forced her inside the house, via the front door. The suspect's [redacted] then exited the west door of the house and said something to the deputies. The suspect, now wielding a knife, forcefully grabbed his [redacted] and pulled her back inside the house. At that point the deputies fired at the suspect.

[redacted] said during the incident, he could hear the suspect's [redacted] saying something to the deputies, but he was not able to hear what exactly she said. He did not hear any of the verbal exchange between the suspect and the deputies.



Witness [redacted] was at [redacted] [redacted] from the suspect's house, visiting his parents. [redacted] knows the suspect as he ([redacted]) used to live with his parents.

[redacted] said he saw the suspect running toward his house, on the sidewalk, with a radio car behind him. The suspect had a large pipe in his hands. The suspect went inside the house for a short time, then reappeared outside, via the front door and was yelling something at the deputies. [redacted] could not hear what was being said.

[redacted] said the suspect's [redacted] was standing behind him. The suspect still had the pipe in his hand when he produced a plastic gun, as evidenced by the orange tip on the barrel.

The suspect then went back inside the house, and before he returned outside the suspect's [redacted] appeared, via the west door of the house, and started screaming something. [redacted] saw the suspect grab his [redacted] and he started pulling her inside the house. [redacted] said he saw the suspect had a large knife in his hand as his pulled his [redacted] inside. He added that he wasn't focusing all of his attention on the incident between the suspect and the deputies because he was trying to grab his young son and protect him.

[redacted] said at some point he saw the suspect throw the knife at the deputies, who had repositioned themselves in the grass area of the house next door. He estimated the deputies were standing 20-25 feet away from the suspect. One of the deputies had a shotgun. He then heard the sound of shots coming from the area. [redacted] added that he had a hard time seeing everything as he was watching from [redacted] the street and there were bushes and shrubbery blocking his view. He added that there was loud music coming from an ice-cream truck that was in the street so he couldn't hear what either the deputies or the suspect were saying.

Witness [redacted] has known the suspect for approximately six years. She has exchanged hellos with the suspect in the past but does not really talk to him. She added that she had heard the suspect "talk nonsense," such as recalling dates he had met or worked for the President of the United States. She said she has never known the suspect to be violent.

[redacted] said she was standing outside of her house when she saw the suspect run inside his house. The suspect exited his home and had some sort of metal object or possibly a stick in his hand. The suspect ran to the corner of Gibson and San Carlos streets where he remained for one minute or less. The suspect then ran back to his house and the deputies arrived immediately after.

[redacted] saw the suspect arguing with deputies and the deputies were pointing their guns at the suspect. The suspect's [redacted] then appeared at the front doorway and was telling the suspect to come inside. The suspect then retrieved a plastic gun and was waving it at

the deputies. She could tell the gun was a toy because of the orange tip on the barrel and it's overall appearance.

[redacted] saw she saw the suspect and his [redacted] go inside the house, and the suspect's [redacted] then reappeared at the west door. The suspect came to the west door and grabbed his [redacted] trying to forcefully pull her back inside. [redacted] added that she then lost sight of the suspect's [redacted] and believed she had fallen to the ground. [redacted] saw a deputy shoot the suspect with a big rifle which she believed to be something other than lethal force. [redacted] then saw the suspect throw a large kitchen knife at the deputies, at which point the deputies shot at the suspect with their pistols. The suspect retreated into his house and shut the door.

Witness [redacted] knows who the suspect is, as the suspect has lived on the street longer than he has. [redacted] said the suspect is not normal, and is a "little off."

[redacted] was standing outside his house, which is [redacted] from the suspect's house. [redacted] was standing next to his [redacted] Witness [redacted] and they were buying ice cream from the ice cream truck. [redacted] saw the suspect run into his (the suspect's) house. The suspect retrieved some sort of stick and then ran back toward the corner of Gibson and San Carlos streets. The suspect remained at the corner for less than five minutes, during which time he had some sort of problem or argument with people at the corner.

With the stick still in his hands, the suspect ran back toward his house and the deputies were behind him. The suspect stopped at his house, entered for a short time, and then reappeared in the front yard. The deputies pointed their guns at the suspect, and the suspect waved the stick around in his hand. [redacted] saw the suspect's [redacted] come outside and she was crying and yelling something at the deputies like, "He's sick, he's sick." The suspect told his [redacted] that the deputies were going to shoot her and she needed to get back inside the house. [redacted] saw the suspect produce a toy gun and heard him arguing with the deputies but he could not hear what was being said. [redacted] explained that there was an ice cream truck in front of him and the music from the truck was playing. He could see the deputies saying something to the suspect and the suspect saying things back, but the music from the truck prevented him from hearing what was being said.

The suspect's [redacted] then exited the side door of the house and was yelling at the deputies about the suspect being sick. The suspect came out the side door, grabbed his [redacted] and told her to go back inside because they were going to shoot her. The suspect was waving his arm around with a large knife in one hand. At some point the suspect threw the knife at the deputies. [redacted] said one deputy then fired at the suspect using a "big gun," and then within a few seconds the other deputies started shooting at the suspect. [redacted] explained that the shooting portion of this incident occurred very quickly and he was unable to recall the exact sequence of events, specifically whether or not the suspect threw the knife before or after the deputy shot the "big gun" at him.

[redacted] added that once the shooting started he focused his attention on getting his [redacted] inside the house.

SUSPECT'S STATEMENT:

Suspect Gomez refused to interview after this incident, thus no statements were available for purposes of this review.

MISCELLANEOUS SECTION:

None